

cannot make us forget the cruel contempt and barbarity of which the slave was still the victim, and which was to be his lot for many generations yet to run. Therefore the improvement in the condition of the slave, or of his poor plebeian brother, by the theoretical equality in the colleges may be easily exaggerated." <sup>1</sup> The statesmen had feared that the artisans might use their organization to interfere in politics. What happened in the fourth century was that the state used the organizations to reduce the artisans to servitude, and to subject them to heavy social obligations by law.

295. Laws changed in favor of slaves. When the conquests ceased and the supply of new slaves was reduced those slaves who were born in the households or on the estates came into gentler relations to their owners. Slaves rose in value and were worth more care. The old plan of Cato became uneconomical. All sentiments were softened in the first century as war became less constant, less important, and more remote. The empire was an assumption by the state of functions and powers which had been family powers and functions, and part of the *patria potestas*. Women, children, and slaves shared in emancipation until the state made laws to execute its jurisdiction over them. Hadrian took from masters the power of life and death over slaves. Antoninus Pius confirmed this, and provided that he who killed his own slave should suffer the same penalty as he who killed the slave of another.<sup>2</sup> This brought the life of every slave into the protection of the state. Under Nero a judge was appointed to hear the complaints of slaves and to punish owners who misused them. Domitian forbade castration. Hadrian

forbade the sale of slaves to be gladiators. The right to sell female slaves into brothels was also abolished.<sup>3</sup> 296. Christianity and slavery. In 1853 C. Schmidt published an essay on the "Civil Society of the Roman World and its Transformation by Christianity," in which he thought it right to attribute all the softening of the mores in the first three Christian centuries to Christianity. Lecky, on the other hand, says : "Slavery was distinctly and formally recognized by Christianity,

<sup>1</sup> Dill, 282. , \* *Instituta*, I, 8; *Digest* ^ I, 6, 2. <sup>8</sup> Wallon, *L'Esclavage* III, 51 &